

ATTORNEY DOCKET NO.  
091078.0995

10-04-04

SERIAL NO.  
10/071,513

3-1 B  
Hw

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert J. Barry, et al.  
U.S. Patent Serial No.: 10/071,513  
Filing Date: February 8, 2002  
Examiner: John C. Hong  
Group No.: 3726  
Notice of Allowance Mailed: September 22, 2004  
Confirmation No.: 3337  
Title: *Manufacturing Facility and Method of Assembling  
Temperature Controlled Railway Car*

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this communication is being deposited with the United States Postal Service as Express Mail No. EV 473956835 US addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

*Angela Soling*  
Name  
10/01/04  
Date of Signature

**REQUEST FOR CONSIDERATION OF AN INFORMATION  
DISCLOSURE STATEMENT SUBMITTED BEFORE  
MAILING OF THE NOTICE OF ALLOWANCE**

For reasons set forth below, it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner Hong, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statement filed August 9, 2004 has been considered.

On August 9, 2004 Applicants filed an Information Disclosure Statement (IDS) with PTO-1449 form (1 page) attached, listing the references submitted for consideration. Copies of the cited references were also included. This IDS was received at the U.S. Patent and Trademark Office on August 9, 2004 as shown on the returned, date-stamped postcard, copy

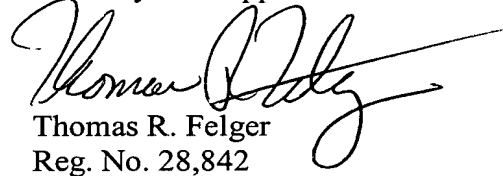
DAL01:819441.1

of which is attached. For the convenience of the Examiner, a copy of the Information Disclosure Statement and the cited references filed August 9, 2004 is enclosed.

The Notice of Allowability for this application was mailed on September 22, 2004. However, Examiner Hong has not returned a copy of the PTO-1449 form indicating consideration of the references cited in the Information Disclosure Statement filed August 9, 2004.

Accordingly, **Applicant hereby requests confirmation of consideration of the previously filed Information Disclosure Statement.** Examiner Hong is requested to initial the references listed on the PTO-1449 form to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.  
Attorneys for Applicants



Thomas R. Felger  
Reg. No. 28,842

2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(512) 322-2599

Enclosures: Copy of Information Disclosure Statement filed August 9, 2004  
with Form PTO-1449 and copies of the cited references;  
Copy of acknowledgment post card showing  
date stamp of August 9, 2004..

ATTORNEY DOCKET

091078.0995

PATENT APPLICATION

10/071,513

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert J. Barry et al.

Serial No.:

10/071,513

Filing Date:

February 8, 2002

Examiner:

John C. Hong

Group Art Unit:

3726

Title:

**MANUFACTURING FACILITY AND METHOD  
OF ASSEMBLING TEMPERATURE  
CONTROLLED RAILWAY CAR**

MAIL STOP - AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service as Express Mail No. EV351290883US addressed to: Mail Stop - Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 9, 2004.

*Shannon Judice*  
Shannon Judice

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, that the references listed on the enclosed PTO-1449 form be considered and cited in the examination of the above-identified application. A copy of the references is enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. §§1.97(g) and (h), no representation is made that these references are material to the patentability of the present application.

ATTORNEY DOCKET  
091078.0995

PATENT APPLICATION  
10/071,513

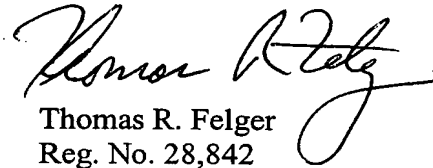
2

Applicants enclose a check in the amount of \$180.00 for the filing fee, and believe no further fees are due, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P. in order to effectuate this filing.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorney for Applicants

  
Thomas R. Felger  
Reg. No. 28,842

Date: 9 AUG 2004

SEND CORRESPONDENCE TO:  
AT CUSTOMER NO. **23640**  
512.322.2599  
512.322.8305 fax

PTO-1449			Application No. 10/071,513		Applicant(s) Robert J. Barry et al.																																																																																																																																																		
<b>Information Disclosure Citation in an Application</b>			Docket Number 091078.0995		Group Art Unit 3726	Filing Date February 8, 2002																																																																																																																																																	
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: left;"> <p><b>U.S. PATENT DOCUMENTS</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>DOCUMENT NO.</th> <th>DATE</th> <th>NAME</th> <th>CLASS</th> <th>SUBCLASS</th> <th>FILING DATE</th> </tr> </thead> <tbody> <tr><td>A</td><td>5088434</td><td>2/18/92</td><td>Harding</td><td>114</td><td>85</td><td>12/21/90</td></tr> <tr><td>B</td><td>5460290</td><td>10/24/95</td><td>Hanning et al.</td><td>220</td><td>421</td><td>3/28/95</td></tr> <tr><td>C</td><td>5802984</td><td>9/8/98</td><td>Thoman et al.</td><td>105</td><td>404</td><td>7/19/96</td></tr> <tr><td>D</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>E</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>F</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>G</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>H</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>I</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>J</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>K</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>L</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>M</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>N</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table> </div> <div style="text-align: right;"> <p><b>FOREIGN PATENT DOCUMENTS</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>DOCUMENT NO.</th> <th>DATE</th> <th>COUNTRY</th> <th>CLASS</th> <th>SUBCLASS</th> <th colspan="2">TRANSLATION</th> </tr> <tr> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr><td>O</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>P</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td>Q</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table> </div> </div>								DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	A	5088434	2/18/92	Harding	114	85	12/21/90	B	5460290	10/24/95	Hanning et al.	220	421	3/28/95	C	5802984	9/8/98	Thoman et al.	105	404	7/19/96	D							E							F							G							H							I							J							K							L							M							N								DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION								YES	NO	O								P								Q							
	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE																																																																																																																																																	
A	5088434	2/18/92	Harding	114	85	12/21/90																																																																																																																																																	
B	5460290	10/24/95	Hanning et al.	220	421	3/28/95																																																																																																																																																	
C	5802984	9/8/98	Thoman et al.	105	404	7/19/96																																																																																																																																																	
D																																																																																																																																																							
E																																																																																																																																																							
F																																																																																																																																																							
G																																																																																																																																																							
H																																																																																																																																																							
I																																																																																																																																																							
J																																																																																																																																																							
K																																																																																																																																																							
L																																																																																																																																																							
M																																																																																																																																																							
N																																																																																																																																																							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION																																																																																																																																																	
						YES	NO																																																																																																																																																
O																																																																																																																																																							
P																																																																																																																																																							
Q																																																																																																																																																							
<b>NON-PATENT DOCUMENTS</b>																																																																																																																																																							
	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE																																																																																																																																																	
R																																																																																																																																																							
S																																																																																																																																																							
T																																																																																																																																																							
EXAMINER				DATE CONSIDERED																																																																																																																																																			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.																																																																																																																																																							



BEST AVAILABLE COPY

Customer Copy  
Label 11-F June 2002



EV 351290883 US



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)

PO ZIP Code <b>78701</b>	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>
Date In Mo. <b>8</b> Day <b>9</b> Year <b>04</b>	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ <b>13.65</b>
Time In <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight lbs. ozs.	Int'l Alpha Country Code	COD-Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials <b>WFB</b>	Total Postage & Fees \$ <b>13.65</b>

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent. If delivery employee judges that article can be left in secure location and I authorize that delivery employee's signature constitutes valid proof of delivery.		
NO DELIVERY	<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Customer Signature

CUSTOMER USE ONLY

METHOD OF PAYMENT:  
Express Mail Corporate Acct. No.

**K787915**

Federal Agency Acct. No. or  
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE ( )

BAKER BOTTS LLP  
98 SAN JACINTO BLVD STE 1500  
AUSTIN TX 78701-4052

091078.0995/Felgar (act1)

TO: (PLEASE PRINT)

PHONE ( )

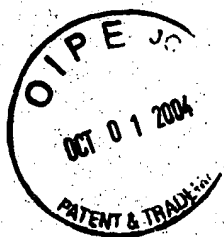
MAIL STOP Amendment  
COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA VA 22313-1450

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com





The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

Application - Spec., Claims, Abstract (___ Page(s))		<input type="checkbox"/> Verified Statement (___ Page(s))
<input type="checkbox"/> CIP	<input type="checkbox"/> Conv. Prov.	<input type="checkbox"/> Div.
<input type="checkbox"/> Cont.	<input type="checkbox"/> Provisional	<input type="checkbox"/> ___ Mo. Extension of Time (___ Page(s))
<input type="checkbox"/> Informal/Formal Drawing(s) (___ Page(s))		<input type="checkbox"/> Amendment/Response (___ Page(s))
Declaration(s)/Power(s) of Attorney (___ Page(s))		<input type="checkbox"/> Issue Fee Transmittal (___ Page(s))
<input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted		<input type="checkbox"/> Check No. ___ Amt.: \$
<input type="checkbox"/> Assignment w/ or w/o Cover Sheet (___ Page(s))		<input checked="" type="checkbox"/> Check No. <u>107690</u> Amt.: \$ <u>180.00</u>
<input checked="" type="checkbox"/> IDS and PTO-1449 ( <u>3</u> Page(s))		<input type="checkbox"/> Other: Postcard
<input checked="" type="checkbox"/> w/Refs. <input type="checkbox"/> w/o Refs.		
<input type="checkbox"/> Non-Publication Request (___ Page(s))		

Inventor(s): **Robert J. Barry et al.**

Serial No.: **10/071,513**

Receipt Date & Serial No.:

Title: ***Manufacturing Facility and Method of Assembling Temperature Controlled Railway Car***

Client/Applicant: **Trinity**

BB File No.: **091078.0995**

Mailed: **8/9/04**

Certificate of Mailing

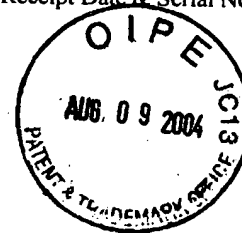
Due:

☒ Express Mail Rcpt. No.: **EV351290883US**

Atty./Secy.: **TRF/adl**

☐ First Class Mail

☐ Hand Delivered



**RECEIVED**

**AUG 16 2004**